

REMARKS

Each independent claim was amended by specifying in more detail the characteristics of the channels that are blocked by the variable optical attenuators. The passage "... for blocking channels not carrying signals to be added to the network ..." has been amended to read "... for blocking channels to be added to the network if the channels do not carry any signals to be added to the network ...".

Basis for this amendment can be derived from page 4, lines 7-12 of the PCT publication. This passage discloses an n-channel DWDM signal obtained by combining signals from a plurality of signal sources to provide an n-channel add signal output (lines 7-9). This means that the n channels are to be added to the network (c.f., n-channel add signal output). The end of line 9 discloses that wavelength channels of the combined signal (i.e., some of the n channels to be added) are selectively blocked if they do not carry signals to be added onto the network. This means that if channels to be added do not carry any signal to be added they are selectively blocked.

In addition, each independent claim was amended by replacing the word "or" with the word "and" in the passage "... for blocking channels not carrying signals to be added to the network ~~or~~ and controlling an amplitude of the added signals ...". Basis for replacing "or" with "and" can be found on page 3, lines 17-19 of the PCT publication.

Applicants submit that the amended independent claims more clearly define the invention, and that the difference between the amended claims and the disclosure by Caroli is clear.

Caroli makes it clear from the very beginning of his disclosure that the blocking function of the λ -blocker/DGEF is blocking optical channels that are not designed for adding. This is explicitly explained in the abstract. Paragraph 28 referred to by the Examiner discloses only that

the wavelength blocker 240 is used to pass or block out the appropriate channels, e.g., to pass only those optical channels that are to be added to the output signal. There is nothing in this paragraph that would disclose or suggest that the blocker 240 can be used for blocking a channel to be added if this channel does not carry any signal to be added. Similarly, paragraphs 31-33 and 48 disclose only that blocking by the wavelength blockers is carried out on channels not to be added to the network.

There is nothing in Caroli's disclosure that would show or suggest blocking of channels to be added if the channels do not carry any signal to be added.

Therefore, applicants believe that the claims as amended are novel and not obvious, and that the application is now in order for allowance.

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to September 24, 2008. A check in the amount of \$460.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of this response, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

Attorneys for Applicant(s)

425 Fifth Avenue

New York, New York 10016-2223

Tel: (212) 697-3750

Fax: (212) 949-1690



Alan Israel

Reg. No. 27,564